

**This order is SIGNED.**

**Dated: March 16, 2020**



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JOEL T. MARKER  
U.S. Bankruptcy Judge



*msc*

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David M. Cook (7043)  
Attorney for the Debtor  
716 East 4500 South, Ste. N 240  
Salt Lake City, UT 84107  
Phone: (801) 264-0699  
E-mail: cook@utlawyer.net

UNITED STATES BANKRUPTCY COURT FOR THE  
DISTRICT OF UTAH, CENTRAL DIVISION

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IN RE: Amy Anderton,

Debtor.

Bankruptcy No. 19-24889  
Chapter 13  
Hon. Joel T. Marker

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**Order Sustaining Debtor's Objection to Trustee's Motion to Dismiss, Motion to Abate,  
Motion to Modify a Confirmed Plan And Request for Attorney's Fees**

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A hearing on Order Sustaining Debtor's Objection to Trustee's Motion to Dismiss, Motion to Abate, Motion to Modify a Confirmed Plan And Request for Attorney's Fees was scheduled for March 18, 2020, at 9:30 a.m. Proper notice of the hearing was given to all parties listed on Debtors mailing matrix. Parties were further notified that objections, if any, to the relief sought by Debtors must be mailed "early enough so that the Court will receive it on or before March 13, 2020" and "In the absence of a timely filed objection, the undersigned counsel may and will ask the Court to enter an order approving the Objection without hearing." The Trustee filed a Response requiring certain conditions that have been incorporated into this Order. No other objection or response to the relief sought by Debtor was filed.. The Court, being fully advised, having reviewed the Motion for Entry of Order and with good cause appearing, hereby

ORDERS that:

1. Debtor's Objection to the Trustee's Motion to Dismiss is **sustained**.
2. Debtor's Motion to Abate, Motion to Modify a Confirmed Plan and Request for Attorney's Fees is **granted**.
3. The Trustee's Motion to Dismiss is **denied** and the case is not dismissed.
4. \$2,334.00 is abated.
5. The Confirmed Plan is modified so that the Plan payment for March and April 2020 is temporarily reduced from \$588.00 to \$333.00.
6. Attorney's fees in the amount of \$750.00 are awarded as an administrative expense from available funds.

[END OF DOCUMENT]

#### **DESIGNATION OF PARTIES TO BE SERVED**

Service of the foregoing **Order Sustaining Debtor's Objection to Trustee's Motion to Dismiss, Motion to Abate, Motion to Modify a Confirmed Plan And Request for Attorney's Fees** shall be served to the parties and in the manner designated below:

**By Electronic Service:** I certify that the parties of record in this case as identified below, are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF system:

Lon A. Jenkins  
Chapter 13 Trustee  
Via ECF

U.S. Trustee  
Via ECF

David M. Cook  
Via ECF

**By U.S. Mail** - In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b).

Amy Anderton  
1312 West 300 South  
Salt Lake City, UT 84104

/s/ David M. Cook